

STATE OF INDIANA       )  
                                  ) SS:  
COUNTY OF JACKSON    )

IN THE JACKSON CIRCUIT COURT  
  
CAUSE NO. 36C01 0610 PL 19

STATE OF INDIANA,                        )  
  )  
                    Plaintiff,                )  
  )  
                    v.                         )  
  )  
JENNIFER RUZICKA, individually, and    )  
SERENITY SALON & DAY SPA                )  
OF COLUMBUS, INC.,                        )  
  )  
                    Defendants.                )

**CONSENT DECREE**

The Plaintiff, State of Indiana, by Attorney General Steve Carter and Deputy Attorneys General Justin G. Hazlett and Lisa Ward, and the Defendants, Jennifer Ruzicka ("Ruzicka") and Serenity Salon & Day Spa of Columbus, Inc. ("Serenity"), hereby agree to entry of a Consent Decree without trial or adjudication of any issue of fact or law herein.

The parties believe it is in their best interests to resolve the issues raised by the State of Indiana and avoid further litigation. This Consent Decree does not constitute an admission by the Defendants of any wrongdoing or liability, nor shall it be construed as abandonment by the Attorney General of his position that the Defendants violated Indiana's Deceptive Consumer Sales Act. The parties accept this Consent Decree as final on the issues resolved herein.

**JURISDICTION**

1. This Court has jurisdiction and venue over the subject matter of this action and the parties hereto.

2. The State of Indiana's Complaint states a cause of action pursuant to the Indiana Deceptive Consumer Sales Act, Indiana Code § 24-5-0.5-1, *et seq.*

3. Defendant Ruzicka was the owner and an officer of Serenity and was, at all relevant times, a resident of Jackson County.

4. Defendant Serenity is a domestic corporation which had, at all relevant times, a principal place of business in Bartholomew County, located at 3780 West Jonathan Moore Pike Suite 150, Columbus, Indiana.

**RELIEF AGREED UPON AND ORDERED**

5. Defendants, their agents, representatives, employees, successors, and assigns are each permanently enjoined from engaging in the following acts in transactions with Indiana consumers:

a. Representing, expressly or by implication, that the subject of a consumer transaction has characteristics, uses, or benefits it does not have, which Defendants know or should reasonably know it does not have;

b. Representing, expressly or by implication, that Defendants are able to complete the subject of a consumer transaction within a stated or reasonable period of time, when Defendants know or reasonably should know they cannot; and

c. Representing, expressly or by implication, that the consumer will be able to purchase the subject of the consumer transaction as advertised by the supplier, if the supplier does not intend to sell it.

6. Defendants are each permanently enjoined from violating any provision of the Deceptive Consumer Sales Act, currently codified at Ind. Code §§ 24-5-0.5-1 through -12.

**RESTITUTION AND COSTS**

7. Defendants agree to pay consumer restitution totaling Ten Thousand One Hundred and Twenty Dollars (\$10,120.00), pursuant to Indiana Code § 24-5-0.5-4(c), to the

following consumers, through the Office of the Attorney General, in the following amounts:

a.	Sara Abner	\$115.00
b.	Katherine Allen	\$40.00
c.	Colleen Anderson	\$115.00
d.	Susan D. Bailey	\$117.00
e.	Dana Blythe	\$125.00
f.	Ashley Bramble	\$100.00
g.	Tanya L. Bauman	\$100.00
h.	Kathy J. Brown	\$65.00
i.	Loretta Burd	\$215.00
j.	Pamela Burns	\$150.00
k.	Michael E. Chapman	\$250.00
l.	Cindy Corya	\$185.00
m.	Julie S. Deckard	\$150.00
n.	Joyce A. Doerr	\$70.00
o.	John A. Duty	\$120.00
p.	Joann A. England	\$295.00
q.	Michelle L. French	\$140.00
r.	Michelle R. Fouch	\$50.00
s.	Kelly Glick	\$80.00
t.	Jodi Graham	\$175.00
u.	Ronna Hall	\$140.00
v.	Rachelle Hensley	\$200.00
w.	Jackie Hien	\$65.00
x.	Peggy Hendershot	\$100.00
y.	Lacy Hoeltke	\$115.00
z.	Christina Hoffer	\$60.00
aa.	Amanda Hoffman	\$40.00
bb.	Janet Hollman	\$70.00
cc.	Joyce Howard	\$70.00
dd.	Cheryl Jessie	\$200.00
ee.	John & Cynthia Kalill	\$200.00
ff.	Victoria Kessler	\$65.00
gg.	Chad Klindt	\$75.00
hh.	Crystal Lucas	\$115.00
ii.	Marcia Lyons	\$260.00
jj.	Mary Mahoy	\$300.00
kk.	Angela Marshall	\$300.00
ll.	Donna Maxie	\$100.00
mm.	Stacy McMullen	\$115.00
nn.	Heather Mullally	\$130.00
oo.	Melodie O'Neal	\$40.00
pp.	Leah Newton	\$40.00
tt.	Kurt Nunemaker	\$85.00
qq.	April Pepmeier	\$50.00

rr.	Linda Phillips	\$50.00
ss.	Laura Reynolds	\$95.00
tt.	Susanne Ricketts	\$115.00
uu.	Mark Ritz	\$125.00
vv.	Barbera Rickers	\$150.00
ww.	Debbie Ritz	\$115.00
xx.	Daria Schooler	\$120.00
yy.	Courtney Searle	\$100.00
zz.	Kami Simpson	\$160.00
aaa.	Jennifer Smith	\$120.00
bbb.	Sonya Simmons	\$175.00
ccc.	Rick Stepp	\$120.00
ddd.	Gloria Steyer	\$170.00
eee.	Marcella Templeton	\$115.00
fff.	Les Wantz	\$60.00
ggg.	Scott Ward	\$145.00
hhh.	Katherine Wells	\$250.00
iii.	Dana Weisner	\$40.00
jjj.	Christina A. Wright	\$150.00
kkk.	Carolyn A. Wright	\$60.00
lll.	Elizabeth A. Youngman	\$60.00
mmm.	Judy Ziegler	\$58.00
nnn.	Doneda Henry	\$85.00
ooo.	Martha Bricker	\$175.00
ppp.	Amanda Burton	\$100.00
qqq.	Mabryan Hutchins	\$115.00
rrr.	Colleen Larivee	\$120.00
sss.	Michelle Sims	\$65.00
ttt.	Jill Whitaker	\$115.00
uuu.	Marianne Wohlford	\$85.00
vvv.	Ramona Bosnyak	\$150.00
www.	Amy Shrum	\$80.00
xxx.	Jane Cooney	\$90.00
yyy.	Jill Beckemeyer	\$100.00
zzz.	Christine Guthrie	\$120.00
aaaa.	Lynn Sexton	\$ 60.00
bbbb.	Jeanine Hulse	\$115.00
cccc.	Betty Saddler	\$50.00
dddd.	Jill Forster	\$150.00
eeee.	Steven England	\$200.00

8. Defendants agree to pay costs in the amount of Four Thousand Eight Hundred and Eighty Dollars (\$4,880.00) to the Office of the Attorney General, pursuant to Ind. Code § 24-5-0.5-4(c)(3).

9. The restitution and cost amounts identified in Paragraphs 8 and 9 above shall be paid by Defendants as follows:

a. The amount of Seven Thousand Five Hundred Dollars (\$7,500.00) upon approval by the Court of this Consent Decree; and

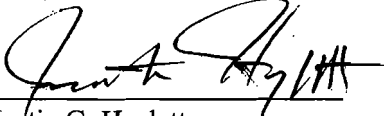
b. The remaining balance in twenty-four (24) monthly payments in the amount of Three Hundred Twelve Dollars and Fifty Cents (\$312.50) to commence on January 1, 2008 and to be paid to the Office of the Attorney General on or before the first day of each successive month until paid in full. In the event of default in the payment of any of the required installments when due, the Attorney General may, without notice or demand, declare the entire sum then unpaid immediately due and payable.

**CONTINUING JURISDICTION**

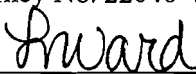
10. For the purpose of enforcing the provisions of this Consent Decree, the Defendants waive any objection regarding the Court's jurisdiction to punish for contempt and agree to appear on proper notice of a failure to comply with any of the provisions of this Decree.

IN WITNESS WHEREOF, the parties have executed this Consent Decree this \_\_\_\_ day of November, 2007.

STATE OF INDIANA  
STEVE CARTER  
Attorney General of Indiana

by: 

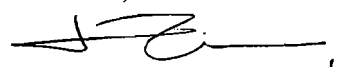
Justin G. Hazlett  
Deputy Attorney General  
Attorney No. 22046-49

by: 

Lisa Ward  
Deputy Attorney General  
Attorney No. 26140-49

  
Jennifer Ruzicka

SERENITY SALON & DAY SPA OF  
COLUMBUS, INC.

by:  + USD .  
Jennifer Ruzicka, President

ALL OF WHICH IS APPROVED, ORDERED, ADJUDGED AND DECREED

this 28<sup>th</sup> day of November, 2007.



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Judge, Jackson County Circuit Court

Distribution:

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